



Appln. No.: 10/065,486  
Docket No.: 124695 / GEM-0058

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No.:	10/065,486	:	Confirmation No.:	7326
Applicant:	Tin-Su Pan	:	Group Art Unit:	3737
Filed:	October 23, 2002	:	Examiner:	Shearin, Andrew J.
Docket No.:	124695 / GEM-0058	:		

For: RETROSPECTIVE RESPIRATORY GATING FOR IMAGING AND  
TREATMENT

June 6, 2005

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST TO RESET REPLY PERIOD UNDER MPEP §710.06

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to 703-872-9306 to the United States Patent and Trademark Office on the date shown below.

\_\_\_\_\_  
Kim Lawrence  
Name

\_\_\_\_\_  
Signature

6/6/05  
Date

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Sir:

This is in response to the Office Action dated April 7, 2005 issued in the above-identified application, wherein Applicant respectfully requests the resetting or restarting of the reply period under MPEP §710.06.

The subject Office Action, part of Paper No./Mail Date 2, references (<http://web.archive.org/web/20010304174429/http://www.varian.com/onc/prd057.html>) (hereinafter Varian) at Paragraph 5 as being material to patentability under 35 U.S.C. §102(b), and (<http://godzilla.kennedykrieger.org/~bettyann/msThesis/ms060thesis/ms06020bkg.html>) (hereinafter BettyAnn) as being material to patentability under 35 U.S.C. §103(a).

However, copies of Varian and BettyAnn were not provided with the Office Action, have not as of June 6 been made available in the private PAIR system, and no such web sites were accessible as of June 2 by Applicant's Attorneys, as evidenced by the screen shots illustrated in Exhibits A, B and C. A telephone call was placed with the Examiner by Applicant's Attorney on June 2, 2005, where a voicemail message was left informing the Examiner of the present situation.

Accordingly, and in view of Varian and BettyAnn being material to a fully responsive reply to the subject Office Action, Applicant herein respectfully requests that a copy of Varian and BettyAnn be made available, and that the reply period be reset in accordance with MPEP §710.06.

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The Examiner is invited to contact Applicant's Attorneys at the telephone number listed below if additional information may be needed regarding this request.

Respectfully submitted,  
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